

DATE: February 24, 1999

FROM: William W. Kinsey - LN

SUBJECT: Feb. 24, 1999, COE-BOR-BPA Biological Assessment Meeting

TO: Lorri Bodi Alexandra Smith  
Bob Lohn

cc:

COE, BOR, and BPA representatives met this morning to coordinate preparation of a biological assessment on Federal hydroelectric projects. Dave Ponganis will give a report on our progress during the February 24 meeting of the Federal Caucus. This memorandum summarizes what I believe to be the most significant points.

We understand the current schedule is as follows.

Date	Action
~ March 1	Internal-to-Feds Anadromous Fish Appendix
March 27	First draft of Green Paper
~ April 1	Public Anadromous Fish Appendix Internal Draft Green Paper with multiple alternative approaches
May 27	Second Draft Green Paper with various approaches but with a preferred or recommended approach.
June 10	Internal Draft Biological Assessment
Mid-June	Draft Snake River Feasibility Study
October 1	Snake River Feasibility Study, Draft B.A., and Green Paper available for a public comment period.

This schedule places great reliance upon a Green Paper that adequately presents measures across the 4 Hs and upon adequate scientific analysis in the Anadromous Fish Appendix and the Green Paper's section that "integrates" available scientific information. This schedule also assumes selection of an alternative to propose in the B.A.

Production of an internal draft B.A. on June 10, just two weeks after the second draft of the Green Paper, appears optimistic. We are supportive the following revision:

June 30: Internal draft B.A. sections describing the proposed action and the action area.

July 30: Internal draft B.A. section describing effects of the proposed action upon listed and proposed species.

COE has intended to use a contractor – Foster Wheeler (phonetic spelling), who has previously prepared documents such as the System Operations Review – to prepare the B.A. Ponganis will ask the contractor about time required and cost of writing portions of the B.A.

The B.A.'s proposed action will include all Federal hydroelectric projects. It will therefore include more projects than COE and BOR might generally consider to be the FCRPS. It will also include BOR projects in the Upper Snake. We are also considering how to include transmission rights-of-way that affect fish habitat. However, COE may not include Willamette River projects. The B.A. will rely on work already performed, for example, by BOR on the Upper Snake.

The B.A. will take into account benefits provided by BPA-funded fish mitigation efforts, such as those in the NW Power Council's Fish and Wildlife Program. Although in some cases not quantifiable, these benefits should increase the likelihood that analyses show upward trends in population projections and that the FCRPS action agencies are undertaking a reasonable share of the responsibility to avoid jeopardy.

Although the B.A. will take credit for BPA-funded actions benefiting fish, we left unresolved a question of (1) whether to include all BPA-funded measures as part of the B.A.'s proposed action and consultation on hydroelectric projects, or (2) whether the B.A. simply takes credit for BPA-funded actions together with other actions in the other Hs that help an analysis of cumulative effects to show avoidance of jeopardy. If we pursue the former approach and include all BPA-funded measures in the proposed action, then a single B.A. and consultation can cover all BPA-funded actions. However, at least two members of BPA's B.A. Work Group have concern about the additional workload caused by the former approach. If we pursue the latter approach, then BPA would need a separate consultation(s) on the additional BPA-funded actions. We did not discuss timing of the consultations and whether these could be after the consultation on hydroelectric projects. However, the latter approach would still permit use BPA-funded measures to help show avoidance of jeopardy. Although the latter approach increases the number of consultations, the additional consultations may involve only BPA without COE and BOR and may not increase pressure for additional measures (creep) than NMFS may otherwise seek in a single extensive consultation. BPA's B.A. Work Group will have additional internal discussion about this matter.

The COE-BOR-BPA Biological Assessment Group will soon have a telephone conference, probably next week, to make further progress and discuss comments on this subject at the 2/24 Federal Caucus meeting.